## UNITED STATES DISTRICT COURT EASTERN DISTRICT OF MISSOURI EASTERN DIVISION

JOHNNY DANIELS, et al.,	)					
Plaintiffs,	)					
	)					
V.	)	No.	4:10	CV	1954	DDN
	)					
GREENKOTE IPC, INC., and	)					
GREENKOTE PLC.,	)					
	)					
Defendants.	)					

## MEMORANDUM AND ORDER

This action is before the court on the motion of plaintiffs Johnny Daniels and others for class certification (Doc. 42) and the motion of defendants Greenkote IPC, Inc. and Greenkote Plc. to strike plaintiffs' jury demand (Doc. 44). A hearing was held on October 28, 2011.

Plaintiffs seek to certify a class as former employees of defendants. (Doc. 42.) The parties agree, and the court concurs, that class certification is appropriate under Rule 23. In accordance with the discussion at the hearing, the class in this action is defined as:

All persons employed at the Greenkote IPC, Inc. facility located at 4001 Gratiot Street, St. Louis, Missouri, who were affected employees and were subjected to an employment loss as a result of Defendants' alleged violations of the WARN Act.

Defendants have moved to strike plaintiffs' jury demand. (Doc. 44.) Because the facts at issue are not yet concretely defined, this motion would be better decided, if necessary, following dispositive motions.

Therefore,

IT IS HEREBY ORDERED that the motion of plaintiffs Johnny Daniels and others for class certification (Doc. 42) is sustained.

IT IS FURTHER ORDERED that the motion of defendants Greenkote IPC, Inc. and Greenkote Plc. to strike plaintiff's jury demand (Doc. 44) is denied without prejudice.

/S/ David D. Noce
UNITED STATES MAGISTRATE JUDGE

Signed on October 28, 2011.